

Part of Paper # 17

PTO/SB/26 (10-00)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

REG 203-A

In re Application of: Stahl, et al.

Application No.: 09/313,942

Filed: May 19, 1999

For: RECEPTOR BASED ANTAGONISTS, AND METHODS OF MAKING AND USING

The owner*, Regeneron Pharmaceuticals, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,844,099. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

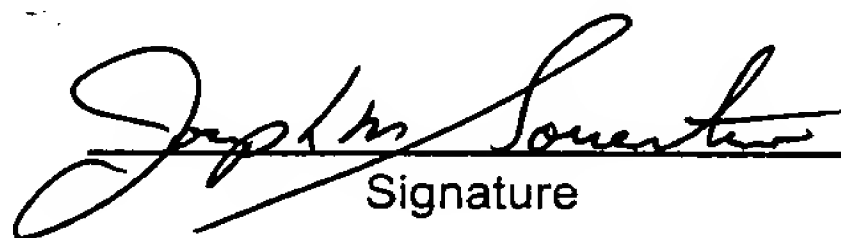
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record.


Signature

7/9/01

Date

Joseph M. Sorrentino

Typed or printed name
Vice President, Intellectual
Property

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Regeneron Pharmaceuticals, Inc.Application No./Patent No.: 09/313,942 Filed/Issue Date: May 19, 1999Entitled: RECEPTOR BASED ANTAGONISTS, AND METHODS OF MAKING AND USINGRegeneron Pharmaceuticals, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

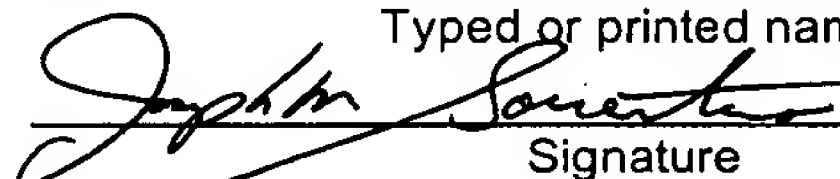
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 9, 2001

Date

Joseph M. Sorrentino

Typed or printed name



Signature

Vice President, Intellectual
Property Title

Recordation Form Cover Sheet Patents Only

U.S. Department of Commerce
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Neil Stahl
George D. Yancopoulos

Additional name(s) of conveying party(ies)
attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Regeneron Pharmaceuticals, Inc.

Internal Address: _____

Street Address: 777 Old Saw Mill River Road

City: Tarrytown, State: NY Zip: 10591

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: June 28, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)
USSN 09/313,942

B. Patent No.(s)

Additional numbers attached? ☐ Yes No ☒

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Linda O. Palladino

Internal Address: Regeneron Pharmaceuticals,
Inc.

Street Address: 777 Old Saw Mill River Road

City: Tarrytown, State: NY Zip: 10591

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

18-0650

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Linda O. Palladino

Name of Person Signing

Linda O. Palladino
Signature

June 29, 2001

Date

Total number of pages comprising cover sheet: 1

ASSIGNMENT

WHEREAS, We, Neil Stahl, residing at RD #10 Kent Shore Drive, Carmel, New York 10512, a citizen of the United States of America; and George D. Yancopoulos, residing at 1519 Baptist Church Road, Yorktown Heights, New York 10598, a citizen of the United States of America (HEREINAFTER CALLED "ASSIGNORS") are the inventor(s) of the invention(s) disclosed and/or claimed in the following patent application:

USSN 09/313,942 filed May 19, 1999

WHEREAS, REGENERON PHARMACEUTICALS INC., a corporation organized and existing under the laws of the State of New York, with offices at 777 Old Saw Mill River Road, Tarrytown, New York 10591-6707, U.S.A. (HEREINAFTER called "ASSIGNEE") is desirous of acquiring our entire right, title and interest in, to, and under the said applications;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, We, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors, legal representatives, and assigns, our entire right, title and interest for all countries in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed in the above-described United States applications, and in and to said United States Applications and all divisions, renewals, continuations, and continuations-in-part thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents utility models, and designs which may hereafter be filed for said inventions in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States applications under the Patent Laws of the United States, the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention, or under any other available international agreement or under the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said inventions in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States and any Official of any country or countries foreign to the United States whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, their successors, legal

representatives and assigns, in accordance with this instrument;

AND WE HEREBY covenant and agree that WE have full right to convey the entire interest HEREINAFTER assigned, and that WE have not executed, and will not execute, any agreement in conflict herewith;

AND WE HEREBY further covenant and agree that WE will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said inventions, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, continuation-in-part, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said inventions in all countries.

IN TESTIMONY HEREOF, WE hereunto set our hands and seals the day and year set opposite our signatures.

Dated: 6/1/01

Neil Stahl L.S.
Neil Stahl

State of New York

S.S.

County of Westchester

On this 1st day of June 2001, before me, Bernadette B. Fahey, a Notary Public in and for the State and County aforesaid, personally appeared Neil Stahl to me known, and to me known to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

Bernadette B. Fahey
Notary Public

BERNADETTE B. FAHEY
Notary Public, State of New York
No. 01FA6035879
Qualified in Putnam County
Commission Expires January 10, 2002

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Assignment
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Dated: 6/28/01

George D. Yancopoulos L.S.
George D. Yancopoulos

State of New York

S.S.

County of Westchester

On this 28th day of June 2001, before me,
Bernadette B. Fahey, a Notary Public in and for the State and County aforesaid, personally
appeared George D. Yancopoulos to me known, and to me known to be the person of that name,
who signed and sealed the foregoing instrument, and acknowledged the same to be his free act
and deed.

Bernadette B. Fahey
Notary Public

BERNADETTE B. FAHEY
Notary Public, State of New York
No. 01FA6035879
Qualified in Putnam County
Commission Expires January 10, 2022